

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge William J. Martínez**

Civil Action No. 12-cv-01743-WJM-KLM

TERRI LYNN STROEDER,

Plaintiff,

v.

JP MORGAN CHASE BANK, N.A., and
CHASE HOME FINANCE LLC

Defendant.

**ORDER ADOPTING FEBRUARY 7, 2013 RECOMMENDATION OF MAGISTRATE
JUDGE, AND GRANTING IN PART AND DENYING IN PART
DEFENDANTS' PARTIAL MOTION TO DISMISS PLAINTIFF'S COMPLAINT**

This matter is before the Court on the February 7, 2013 Recommendation of United States Magistrate Judge Kristen L. Mix (the "Recommendation") (ECF No. 34) that Defendants' Partial Motion to Dismiss Plaintiff's Complaint be granted in part and denied in part. The Recommendation is incorporated herein by reference. See 28 U.S.C. § 636(b)(1)(B); Fed. R. Civ. P. 72(b).

The Recommendation advised the parties that specific written objections were due within fourteen days after being served with a copy of the Recommendation. (ECF No. 34 at 21.) Despite this advisement, no objections to the Magistrate Judge's Recommendation have to date been filed by either party.

The Court concludes that the Magistrate Judge's analysis was thorough and sound, and that there is no clear error on the face of the record. See Fed. R. Civ. P. 72(b) advisory committee's note ("When no timely objection is filed, the court need only

satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.”); see also *Summers v. Utah*, 927 F.2d 1165, 1167 (10th Cir. 1991) (“In the absence of timely objection, the district court may review a magistrate’s report under any standard it deems appropriate.”).

In accordance with the foregoing, the Court ORDERS as follows:

- (1) The Magistrate Judge’s Recommendation (ECF No. 34) is ADOPTED in its entirety;
- (2) Defendants’ Partial Motion to Dismiss Plaintiff’s Complaint under 12(b)(6) is GRANTED IN PART and DENIED IN PART;
- (3) Plaintiff’s Slander of Credit (Count 2), Fraud (Count 5) and Outrageous Conduct (Count 7) Claims are DISMISSED WITH PREJUDICE pursuant to 12(b)(6); and
- (4) This action remains pending as to Plaintiff’s Slander of Title (Count 1), Patterns and Practice and Breach of Contract (Count 3), Negligence (Count 4), Defamation (Count 6), and Quiet Title (Count 8) Claims only.

Dated this 12th day of March, 2013.

BY THE COURT:



William J. Martínez
United States District Judge